

*# DFW*

Please Direct All Correspondence to Customer Number **20995**



### TRANSMITTAL LETTER

### INFORMATION DISCLOSURE STATEMENT

Applicant : George A. Lopez  
 App. No. : 10/630,131  
 Filed : July 30, 2003  
 For : MEDICAL VALVE  
 Examiner : Loan H. Thanh  
 Art Unit : 3763

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

August 17, 2006

(Date)

*Paul Conover*

Paul N. Conover, Reg. No. 44,087

#### Mail Stop Amendment

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) An Information Disclosure Statement and PTO/SB/08 equivalent listing references for consideration:
  - (X) Listing 84 references.
  - (X) Enclosing 84 references.
- (X) A check in the amount of \$180 to cover the above fee is enclosed.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

*Paul Conover*

Paul N. Conover  
Registration No. 44,087  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404



## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicant : George A. Lopez  
App. No : 10/630,131  
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For : MEDICAL VALVE  
Examiner : Loan H. Thanh  
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August 17, 2006

(Date)

*Paul Conover*

Paul N. Conover, Reg. No. 44,087

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application is a PTO/SB/08 Equivalent listing 84 references to be considered by the Examiner. A copy of each reference is also enclosed.

Most of the references cited herein were produced in the case ICU Medical, Inc. v. Alaris Medical Systems, Inc., which is described in Applicants' Information Disclosure Statement of March 10, 2005. Among the enclosed documents are the Court's Claim Construction Order and Order Granting Alaris Medical Systems, Inc.'s Motion for Partial Summary Judgment of Noninfringement of "Spike" Claims (item nos. 73 and 74 on the enclosed form). The Examiner is encouraged to thoroughly consider all of the enclosed documents, and particularly these two.

This Information Disclosure Statement is being filed before the mailing date of a final action and before the mailing of a Notice of Allowance. This Statement is accompanied by the

Appl. No. : 10/630,131  
Filed : July 30, 2003

Docket No. ICUMM.011C8C5  
Customer No. 20,995

fees set forth in 37 C.F.R. § 1.17(p). The Commissioner is hereby authorized to charge any additional fees which may be required or to credit any overpayment to Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 8/17/06

By: Paul Conover

Paul N. Conover  
Registration No. 44,087  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		Application No.	10/630,131
		Filing Date	July 30, 2003
		First Named Inventor	George A. Lopez
		Art Unit	3763
O P E (Multiple sheets used when necessary)		Examiner	Loan H. Thanh
SHEET 1 OF 5		Attorney Docket No.	ICUMM.011C8C5

AUG 21 2006  
PATENT AND TRADEMARK OFFICE

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	1	3,852,385	12-03-1974	Huggins	
	2	4,842,591	06-27-1989	Luther	
	3	5,322,518	06-21-1994	Schneider et al.	
	4	6,428,520	06-08-2002	Lopez et al.	
	5	6,932,795	08-23-2005	Lopez et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>1</sup>
	6	WO 93/11828	06-24-1993	ICU Medical, Inc.		
	7	WO 98/26835	06-25-1998	ICU Medical, Inc.		

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>1</sup>
	8	Declaration of William B. Gont in Support of Alaris's Reply on Motion to Bifurcate the Issue of Willfulness From Liability Issues, dated September 27, 2004	
	9	ICU Medical's Fourth Set of Supplemental Responses to Alaris' First Set of Interrogatories No. 1, dated August 26, 2005	
	10	Alaris Medical Systems, Inc.'s Response to ICU Medical's Second Set of Interrogatory Nos. 15-22 to Alaris, dated October 21, 2005	
	11	Joint Stipulation Filed in Support of and in Opposition to Alaris's Motion to Compel ICU to Produce George A. Lopez for Depositions and Fully Participate in Discovery, dated December 19, 2005	
	12	Declaration of David D. Headrick In Support of Alaris's Memorandum in Support of its Motion to Bifurcate the Issue of Willfulness From the Liability Issues, dated January 13, 2006	
	13	Alaris's Memorandum in Support of its Motion To Bifurcate the Issue of Willfulness From the Liability Issues, dated January 13, 2006	
	14	ICU's Opposition to Alaris's Motion for Leave to Modify the Scheduling Order and File a Second Amended Answer and Counterclaims, dated January 23, 2006	
	15	Declaration of Joseph Warren in Support of ICU's Opposition to Alaris's Motion for Leave to Modify the Scheduling Order and File a Second Amended Answer and Counterclaim, dated January 23, 2006	
	16	ICU's Opposition to Alaris's Motion for Rule 11 Sanctions, dated January 23, 2006	
	17	Declaration of Alison D. Burcar in Opposition to Alaris Medical Systems, Inc's Motion for Rule 11 Sanctions, dated January 23, 2006	

Examiner Signature	Date Considered
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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

T<sup>1</sup> - Place a check mark in this area when an English language Translation is attached.

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		Application No.	10/630,131
		Filing Date	July 30, 2003
		First Named Inventor	George A. Lopez
		Art Unit	3763
(Multiple sheets used when necessary)		Examiner	Loan H. Thanh
SHEET 2 OF 5		Attorney Docket No.	ICUMM.011C8C5

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>1</sup>
	18	ICU Medical Inc.'s Opposition to Alaris Medical Systems, Inc.'s Motion for Partial Summary Judgment of Noninfringement of Claims 1, 3-4, 6-7 of Pat. No. 5,685,866, Claims 1-2 of Pat. No. 5,873,862 and Claims 11-12 and 16 of Pat. No. 6,572,592, dated January 23, 2006	
	19	Declaration of Bob Rogers in Opposition to Alaris Medical System's Inc.'s Motion for Partial Summary Judgment of Noninfringement of Claims 1, 3-4, 6-7 of Pat. No. 5,685,866, Claims 1-2 of Pat. No. 5,873,862 and Claims 11-12 and 16 of Pat. No. 6,572,592, dated January 23, 2006	
	20	Plaintiff ICU Medical, Inc.'s Animations Referenced in the Declaration of Bob Rogers in Opposition to Alaris's Motion for Partial Summary Judgment of Noninfringement of Claims 1, 3-4, 6-7 of Pat. No. 5,685,866, Claims 1-2 of Pat. No. 5,873,862 and Claims 11-12 and 16 of Pat. No. 6,572,592, dated January 23, 2006	
	21	ICU's Opposition to Alaris's Motion to Bifurcate the Issue of Willfulness from the Liability Issues, dated January 30, 2006	
	22	Declaration of James Pooley in Support of ICU's Opposition to Alaris's Motion to Bifurcate the Issue of Willfulness From the Liability Issue, dated January 30, 2006	
	23	Declaration of S. Christian Platt in Support of ICU's Opposition to Alaris's Motion to Bifurcate the Issue of Willfulness From the Liability Issues, dated January 30, 2006	
	24	Declaration of Marc David Peters in Support of ICU's Opposition to Alaris's Motion to Bifurcate the Issue of Willfulness From the Liability Issues, dated January 30, 2006	
	25	Defendant Alaris Medical Systems, Inc.'s Reply Memorandum in Support of its Motion for Leave to Modify the Scheduling Order and File a Second Amended Answer and Counterclaims, dated February 6, 2006	
	26	Supplemental Declaration of Scott P. McBride in Support of Defendant Alaris Medical Systems, Inc.'s Reply Memorandum of Points and Authorities in Support of Alaris's Motion for Leave to Modify The Scheduling Order and File a Second Amended Answer and Counter Claims, dated February 6, 2006	
	27	Reply Brief In Support of Alaris's Motion for Partial Summary Judgment of Noninfringement of "Spike" Claims, dated February 6, 2006	
	28	Defendant Alaris Medical Systems, Inc.'s Reply Brief in Support of Alaris's Motion for Sanctions to Fed.R.Civ.P. 11, dated February 6, 2006	
	29	Declaration of David D. Headrick in Support of Alaris's Reply Brief in Support of Alaris's Motion for Partial Summary Judgment of Noninfringement of "Spike" Claims and Reply Brief in Support of Alaris's Motion for Sanctions to Fed. R. Civ. P. 11, dated February 6, 2006	
	30	Defendant Alaris Medical Systems, Inc.'s Objections to the Declaration of Bob Rogers Submitted by ICU in Opposition to Alaris's Motion for Partial Summary Judgment, dated February 6, 2006	
	31	Alaris's Reply on Motion to Bifurcate the Issue of Willfulness from Liability Issues, dated February 6, 2006	
	32	Rebuttal Declaration of Neil Sheehan in Support of Alaris Medical Systems Reply Motion for Partial Summary Judgment of Noninfringement, dated February 6, 2006	
	33	Excerpts from Deposition Transcript of George A. Lopez, M.D., Volume 1, dated February 7, 2006	
	34	Excerpts from Deposition Transcript of George A. Lopez, M.D., Volume 2, dated February 7, 2006	

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SHEET 3 OF 5		Attorney Docket No.	ICUMM.011C8C5

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	35	Excerpts from Deposition Transcript of Thomas F. Fangrow, dated February 22, 2006	
	36	Joint Stipulation Filed in Support of and In Opposition to Defendant Alaris Medical Systems, Inc.'s Motion to Compel ICU's Response to Alaris's Requests for Production Nos. 9, 10, 11, 23, 27, 38, 39, dated March 7, 2006	
	37	Declaration of Marc David Peters in Opposition to Defendant Alaris Medical Systems, Inc.'s Motion To Compel ICU's Response to Alaris's Request for Production Nos. 9, 10, 11, 23, 27, 38, 39, dated March 7, 2006	
	38	Declaration of David D. Headrick in Support of and in Opposition To Defendant Alaris Medical Systems, Inc.'s Motion to Compel ICU's Response to Alaris's Requests for Production Nos. 9, 10, 11, 23, 27, 38, 39, dated March 7, 2006	
	39	Exhibit 6 to the Declaration of David D. Headrick in Support of and In Opposition to Defendant Alaris Medical Systems, Inc.'s Motion to Compel ICU's Response to Alaris's Request For Production Nos. 9, 10, 11, 23, 27, 38, 39, dated March 7, 2006	
	40	ICU Medical's Third Set of Supplemental Responses to Alaris' First Set of Interrogatories Nos. 1-10, dated March 10, 2006	
	41	Alaris's Second Supplemental Preliminary Invalidity Contentions Relating to U.S. Patent Nos. 5,685,866; 5,873,862; 6,572,592 and 6,682,509 (Pursuant to Discovery Agreement), dated March 17, 2006	
	42	Reporter's Transcript of Proceedings Motions Calendar, dated April 10, 2006	
	43	Alaris Medical Systems, Inc's First Supplemental Disclosure Pursuant to Modified N.D. Patent L.R. 4-2(b) & 4-3(b), dated May 2, 2006	
	44	ICU'S Opening Brief on Claim Construction, dated May 9, 2006	
	45	Declaration of Kimberly N. Van Voorhis in Support of ICU'S Opening Brief on Claim Construction, dated May 9, 2006	
	46	Exhibits 6, 7,8,9,18 and 22 to the Declaration of Kimberly N. Van Voorhis in Support of ICU's Opening Brief on Claim Construction, dated May 9, 2006	
	47	Declaration of Bob Rogers in Support of ICU's Opening Brief on Claim Construction, dated May 9, 2006	
	48	Declaration of S. Christian Platt in Support of ICU's Opening Brief on Claim Construction, dated May 9, 2006	
	49	Plaintiff ICU Medical, Inc.'s Notice of Lodging Compact Discs in Support of ICU's Opening Brief on Claim Construction, dated May 9, 2006	
	50	Notice of Lodgment of Courtesy Copies for Chambers of Physical Samples, dated May 9, 2006	
	51	Plaintiff ICU Medical, Inc.'s Notice of Lodging Compact Discs in Support of ICU's Opening Brief on Claim Construction, dated May 9, 2006	

Examiner Signature	Date Considered
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SHEET 4 OF 5		Attorney Docket No.	ICUMM.011C8CS

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	52	Alaris's Claim Construction Brief, dated June 2, 2006	
	53	Alaris Medical Systems, Inc.'s Objections to the Declaration of Bob Rogers Submitted by ICU in Support of ICU's Opening Brief on Claim Construction, dated June 2, 2006	
	54	Defendant Alaris Medical Systems, Inc.'s Application to File Under Seal Exhibits 5, 7, 11, 12, 15, 16, 17, 30 and 41 to the Corrected Declaration of David D. Headrick in Support of Alaris's Claim Construction Brief, dated June 13, 2006	
	55	Declaration of David D. Headrick in Support of Alaris's Claim Construction Brief (Volume I, Exh. 1-20), dated June 2, 2006	
	56	Corrected Declaration of David D. Headrick in Support of Alaris's Claim Construction Brief (Volume I, Exhibits 1-20), dated June 13, 2006	
	57	Volume II Exhibits 21 to 57 to the Declaration of David D. Headrick in Support of Alaris's Claim Construction Brief, dated June 2, 2006	
	58	Volume II, Exhibits 21-56 to the Corrected Declaration of David D. Headrick in Support of Alaris's Claim Construction Brief June 13, 2006	
	59	Exhibits 5, 7, 11-12, 15-17, 30 and 41 to the Declaration of David D. Headrick in Support of Alaris's Claim Construction Brief Filed Under Seal, dated June 2, 2006	
	60	Exhibits 5, 7, 11-12, 15-17, 30 and 41 to the Corrected Declaration of David D. Headrick in Support of Alaris's Claim Construction Brief, dated June 13, 2006	
	61	ICU's Reply Brief on Claim Construction, dated June 14, 2006	
	62	Rebuttal Declaration of Bob Rogers in Support of ICU's Reply Brief on Claim Construction, dated June 14, 2006	
	63	Supplemental Declaration of Kimberly N. Van Voorhis in Support of ICU's Reply Brief on Claim Construction, dated June 14, 2006	
	64	Exhibits 1, 2, 3 and 4 to the Supplemental Declaration of Kimberly Van Voorhis in Support of ICU's Reply Brief on Claim Construction Declaration, dated June 14, 2006	
	65	ICU Medical, Inc.'s Objections to the Declaration of Neil J. Sheehan in Support of Alaris Medical Systems, Inc.'s Claim Construction Brief, dated June 14, 2006	
	66	ICU Medical, Inc.'s Response to Alaris's Objections to the declaration of Bob Rogers in Support of ICU's Opening Claim Construction Brief, dated June 14, 2006	
	67	Declaration of Diana Luo in Support of ICU Medical, Inc.'s Objections to the Declaration of Neil J. Sheehan in Support of Alaris Medical Systems, Inc.'s Claim Construction Brief, dated June 14, 2006	
	68	[Proposed] Order Granting ICU Medical, Inc.'s Claim Construction from ICU's Opening Claim Construction Brief, dated June 14, 2006	
	69	Civil Minutes-General- Markman Hearing, dated June 21, 2006	
	70	Reporter's Transcript of Proceedings- Markman Hearing Day 1, June 21, 2006	

Examiner Signature	Date Considered
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SHEET 5 OF 5		Attorney Docket No.	ICUMM.011C8CS

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	71	Civil Minutes-General- Markman Hearing (2nd Day), dated June 22, 2006	
	72	Reporter's Transcript of Proceedings- Markman Hearing Day 2, June 22, 2006	
	73	Order Granting Alaris Medical Systems, Inc.'s Motion for Partial Summary Judgment of Noninfringement of "Spike" Claims, dated July 17, 2006	
	74	Claim Construction Order, dated July 17, 2006	
	75	[Proposed, Amended] Findings of Fact not Genuinely Contested and Conclusions of Law in Support of the Court's July 17, 2006 Order Granting Alaris's Motion for Partial Summary Judgment of Noninfringement of "Spike" Claims, dated July 28, 2006	
	76	[Proposed, Amended] Judgment Granting Defendant Alaris Medical Systems, Inc.'s Motion for Partial Summary Judgment of Noninfringement of "Spike" Claims, dated July 28, 2006	
	77	Defendant Alaris Medical Systems, Inc.'s Notice of Lodging of (1) [Proposed, Amended] Findings of Uncontroverted Facts and Conclusions of Law in Support of Alaris's Motion for Partial Noninfringement of "Spike" Claims (2) [Proposed, Amended] Judgment Granting Defendant Alaris Medical Systems, Inc.'s Motion for Partial Summary Judgment of Noninfringement of "Spike" Claims, dated June 23, 2006	
	78	Expert Report of Neil Sheehan, dated August 11, 2006	
	79	Expert Report of Eugene Rzucidlo, dated August 11, 2006	
	80	True Copy From the Records of the United States Patent and Trademark Office of the File Wrapper of Application Number: PCT/US92/10367, Filing Date: December 1, 1992, Certification dated June 7, 2005	
	81	Examiner's Report No. 2 on Patent Application No. 2004201518 by ICU Medical, Inc., dated October 6, 2005	
	82	Abstract of Decisions, Decision of a Delegate of the Commissioner of Patents, dated February 21, 2006	
	83	Third Statement of Proposed Amendments regarding ICU Medical Inc., Australian Patent Application No. 2004201518 "Medical valve", dated March 16, 2006	
	84	Notification of a Requisition by the Examiner in Accordance with Subsection 30(2) of the Patent Rules for Canadian Application No. 2,193,702, dated April 4, 2006	

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Examiner Signature	Date Considered
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